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State of Parties; *in which the Charge, That the Government is against the* Constitution, *is fully confider'd.*

EVERY Man who wishes Prosperity to the present Government, must necessarily wish, that every Subject in *England* was a Friend to it; and that, what the Author of the *Dissertation on Parties* says of the *Tories*, as true; 'That they are as 'thorough Friends to the *Revolution*, the *Protestant Succession*, and the *Liberties* the *People*, as the *Whigs*.' But, when this is said, only without the least Evidence to support it, directly in the Teeth of all Evidence from *Reason Fact*; and when 'tis said too with a very ill Design to induce the *Whigs* to join with them against best Friends, and so distress the Government, it comes the Duty of all Men, who love their Country to expose the Sophistry, and detect the Falsehood what has been advanced.

We have already shewn, from the constant Tenor the *Tories* Conduct ever since the Revolution, that never shew'd themselves Friends to it; and that last Time they were in full Power, which was ween Twenty and Thirty Years after their *Coni to Liberty*. they proved themselves implacable mies to the *legal Settlement* of the Crown. and to *Liberties* of the People. Now, the Question is, hey shewed, by their Actions, so long after they said to have parted with every *slavish Principle*, they were in full Possession of them all, what son we have to believe, they have parted with n since the present Royal Family came to the wn?

What they have done since is very evident: ey rebell'd almost as soon as the *Succession* took ce; they tried at other Rebellions when *that* ed unsuccessful; and have continued in one stant, steady *Opposition*, to the Government, under Kings; under every Administration; and to all publick *Acts* of every Administration. Well, s this shew their Affection to the Government? , says the *Author of the Dissertation*, it does not w their Affection to the *Government*; but, it demstrates their Affection to their *Country*, and to *Liberties* of the People, which are infinitely more uable than any Government in the World; espeally such a Government as our's, which is against *Constitution*, and which is carrying on an Interest inst the Interest of the Country.

I join Issue with the *Author of the Dissertation* upon Argument; and will allow, if this be true, that re hath been, ever since the Succession took Place, *Court Interest* against the *Country Interest*, and the *vernment* against the *Constitution*; that then, the stant Opposition of the *Tories* hath been just, and ir Disaffection to the *Government* was their Duty d Honour: But, if the Reverse of this is true, t the Government and Constitution are *one*, then follows, that their constant uniform Opposition ves their *Hatred* to the *Government*, the *Constiion*, and the *Liberties* of the People.

Let us then try the Argument.

By the *Constitution*, is usually meant, King, Lords, d Commons, *making Laws*; and the King *Goving* by those Laws: But I, who am desirous of ing as far in the Cause of Liberty as any Man in *gland*, think this Definition too loose and amguous; for, tho' a King constantly Governs by the ws, yet such Laws may be enacted, (and such tually were enacted in former Reigns) as strike at e very Foundations of *Liberty*, and are subversive the true Spirit and Design of the *Constitution*; I ould, therefore, rather distinguish the *Constitution* to the *Constituent Powers*, King, Lords, and Comons, and the *Things* constituted, or the fundaental *Laws* enacted by those Powers: It may, perps, be difficult to name any certain *Assemblage* of ws, which shall be universally acknowledged fundmental in the Constitution: *Magna Charta* will not swer the End, for that is *Tyranny* and *Slavery*, if mpared with the *Liberties* we now enjoy; nor will e *Bill of Rights* be allowed fully to come up to the Point: But, in general, all such *Laws* may be called *Fundamental* as most strongly secure the People in the Possession of their Rights to their Persons, Properties, and the free Use of their Understandings: Such Laws we are blessed with; and such Laws I call the Essence or Substance of the *Constitution*, as the *Constituent Powers* may be called the Form of it.

The Word, *Constitution*, being thus settled; by the Government is meant, the Person or Persons entrusted, by the Constitution, with the Administration of all publick Affairs. Now, if it can be made evident, that, by the Power or Art of the Government, there have been any Laws obtained, or any Acts of State exercised which have weakened the Security that these fundamental Laws gave us; or, rendered the Preservation of Person and Property more precarious or less secure than the Constitution had made them, then it shall be acknowledged, that the Government is against the Constitution. But to say, that the Government is against the Constitution, and that the Friends of the Government are Enemies to the Constitution, when there have been no Laws obtained, nor any Acts of State exercised by the Government against the true Design and End of the Constitution, is downright Impudence, affronting the common Sense of Mankind, and putting about a Doctrine among the People big with equal Absurdity and Iniquity: It is, indeed, the greatest of all Iniquities to invent Distinctions which have no Foundation in Reason or Fact, on purpose to set the People against the Government, and the Country against the Court, when there is not the least Appearance of any Interest carrying on at Court against the Interest of the Country, or any Acts done by the Government against the Rights and Liberties of the People. If there are, let them be named: 'Tis not sufficient to name the *Riot Act* and *Waltham Black Act*, as Acts against Liberty; unless they will contend, that the People ought to have a Liberty of invading other Men's Properties; to pull down Houses; steal Deer, &c. By *Liberty*, is meant the Privilege of enjoying our own Rights, not invading other Men's. But, to what hard Shifts are Persons driven to abuse the Government, when they are forced thus publickly to *play the Fool*; and render themselves *ridiculous*, while they are labouring to make the Ministry *odious*!

But, there is one thing more said by the Enemies of the Government, to justify themselves and make good their Charge of the Government's being against the Constitution; which is, that the Independency of the *Electors* and the *Elected*, upon which the Preservation of our *Constitution* depends, is shamefully attack'd and broke thro': They also assert, that this Independency was not sufficiently provided for at the *Revolution*; so that the *Constitution* itself is so far imperfect, and ought to be mended.

To which I answer; that, 'twas impossible, by any Laws, at the *Revolution*, to secure the Independency of the Electors and the Elected; and that 'tis impossible to do it at any Time; and the Reason is, because 'tis impossible in its own Nature. 'Tis among those things which cannot be done. The *Revolution* carried the Security of our Liberties as far as Law can carry it; so far, that 'tis out of the Power of any King of *England* to subvert them without our own Consent; and is not that Security enough? Our Kings can't take our Liberties from us, as they could before the Revolution; nor can we possibly lose them unless *we give them up*: Which we may certainly do whenever we please; for, there can be no Security against ourselves: No Laws of Heaven or Earth can secure our Independency; that is not to be done for us, but must be done by us. The Electors and Elected must take care, by Industry and Frugality, by the Exercise of Reason and private Virtue, to preserve their publick Virtue; for, we see Laws cannot do it: We have seen most severe and terrible Laws made against *Bribery* and *Corruption*; but, what Good they have done, I leave to the Judgment and Experience of both Parties: And if we could obtain *absolute incapacitating Laws*, there would either be Ways found to evade them; or else they would cause such constant Struggles between King and Parliament, as would never cease till one had got the Better of the other; assumed all Power to itself, and so destroy'd the Balance of the Legislative Power; on the Equality of which depends the Preservation of our Constitution.

These Reflections, well considered, will appear to contain a full Answer to what has been said about *Independency*.

Having thus thoroughly examined this Proposition, urg'd as a Reason why the People ought to be against the Government, *That the Government is against the Constitution*; and shewn, that there is not the least Foundation for such a Charge: It follows, that the constant steddy Opposition which the *Tories* have made to the Government since the Accession of the present Royal Family, proves their most implacable Hatred to the *Government*, the *Constitution*, and the *Liberties* of the People. For, if the Government is not against the Constitution, 'tis impossible they should have a Reason for such an equal, constant *Opposition*; and, if not a *Reason*, it must arise from Aversion, founded on wrong Principles or Prejudices; and their Pretence of Liberty at present, and bawling out for the Constitution and Rights of the People, must necessarily be mere Pretence, and all Cant; such Cant as they used in King *William*'s Time, and the former glorious Part of Queen *Anne*'s; for, they always pretended Liberty when out of Power, and always acted against it when in Power; of which they gave most flagrant Instances the last Time they were intrusted with it: Such Instances as are sufficient to convince all impartial Men, that, notwithstanding their haranguing for *Liberty* above Twenty Years before they came into Power; yet, *They had not parted with one slavish Principle*; which Conduct carries with it the strongest Reason in the World why we should give no Credit to their late Pretenses; however, if there are some *Whigs* so far imposed upon by fair Words, as to be inclined to believe they are in Earnest for Liberty; or, to entertain Doubts about their Conversion; and are willing to satisfy so fatal a Curiosity; there is but one Way to be sure of it (for Words are nothing) and that is, *Vote for them next Election, and try them once more with Power.*

Last Night arrived the Mail due from Holland.

From the Imperial Camp near Belgrade, Sept. 1. O. S.

THE Great Duke of Tuscany arrived here the 29th ult. and resumed the Command of the Army; since which, 'tis said, he has wrote a Letter and sent it by Express to the Grand Vizier. According to the last Advices from the Turks Army, the Grand Vizier, after having decamp'd from Gladova, has sent Part of his Forces towards Rowna, upon the Morave, in order to reinforce the Body which has been there for some time; but whether that General will march thither himself, or to Nissa, as some Spies have reported, is uncertain.

Vienna Sept 9. O S. We are impatient for the Confirmation and Particulars of certain Advices from Constantinople, which say, that the Sultan died there on the 14th ult. and that there were great Disturbances in the said City upon that Occasion; there being two Factions, of which one was for advancing his eldest Son to the Throne, as the presumptive Heir; and the other for preferring one of his Brothers to it, on Pretence that he was better qualified for the Administration.

According to the last Letters from Hungary, the Grand Vizier himself is expected at Rawna; and that the Turks, who gave out that he was upon the Return to Constantinople to appease the Tumults excited there by the Inhabitants, now say, that he is going to march with all his Forces towards Belgrade, to give Battle to the Imperial Army.

The Colonel Cornberg, who lately commanded at Orsova, has not made his Escape, as was reported; but we hear that he is under close Confinement; and that several other Officers, who sign'd the Capitulation of that Place, are taken into Custody.

'Tis said the Colonel lays the Blame upon the late Engineer, General de Beauffe, who not only advised, but even insisted upon the Surrender of the Place, on Pretence, that it could not stand against a general Storm, its Fortifications being in no proper State of Defence; but be this as it will, 'tis certain there were Provisions enough for three Months, and Ammunition for above twelve, and the Garison, when it march'd out of the Place, was 750 Men strong. We are

assured that the Turks have resolved to demolish its Fortifications, that it may not be an Obstacle to the Peace, it case they are obliged to restore it.

The Baron de Seckendorf is set out for Gratz; and 'tis said he carries an Imperial Resolution with him, very much in Favour of the Count de Seckendorf; by which the Emperor releases him from his Imprisonment, and confirms him in the Dignity of Velt Marshal, &c. We shall soon know the Truth of this Report. Mean while they write from Gratz, that he enjoys greater Liberty there than before, and is allowed to see the Nobility, &c. of the Country.

P.S. 'The Great Duke's Letter to the Grand 'Vizier, relates to the Proposals of Peace which the 'latter made to the General de Furstenberg, when 'he marched out of Orsova; and his Royal High-'ness therein tells him, that if he was disposed to 'an Accommodation, the Imperial Court was ready 'to enter into a Negotiation.

Petersburg, Sept. 2. O. S. The Count de Munich writes Word to Court, that the French Ambassador at Constantinople has acquainted him, that the Porte was disposed to agree to a Cessation of Arms, in order to treat of a Peace. The last Advices from the Velt Marshal Lasci say, that after having blown up the Fortifications of Oc, and demolished the Lines of Perecop, he is returning towards the Ukraine.

IRELAND.

Dublin, Sept. 16. We hear from Carrick, in the County of Monaghan, that on Sunday Night last James Calan, a proclaimed Tory in the Counties of Meath and Cavan, was taken in a House within three Miles of that Town, by Mr. John Johnston's Men. He was a very bold and desperate Fellow, and had a great Part of the Country about under Contribution to him; there passed several Shots between him and one of the Men, both within and without the House; at length they engaged, and when Calan was thrown on the Ground, he whipt out of his Breeches a long Skean, and stabbed Mr. Johnston's Man along the Ribs, which Johnston's Man twisted out of his Hand, and gave Calan a mortal Wound in his Belly, of which he died within Eight Hours after.

We hear from Wickow, that this Week the Prisoners in that Gaol found Means to break out, to the Number of Fourteen, three of whom were under a Rule of Transportation, viz. Patrick Murphy, Simon Clery, and Edward Boyne.

Last Thursday died at Finglass, William Empson, Esq; an Alderman of this City, and left behind him an unblemish'd Character.

Yesterday arrived his Majesty's Dublin Yacht from Parkgate, with Richard Wingfield of Power's Court, Esq; and several other Persons of Distinction.

On Wednesday last died at his Seat at Killenick, in the County of Fermanagh, Colonel Creighton, a Gentleman much beloved by all that knew him. He has left a handsome Estate amongst his Five Daughters, not having a Son.

We hear that Colonel Wansborough, Governor of the Royal Hospital, lies dangerously ill, the Physicians having but little Hopes of his Recovery.

And that William Cunningham, Esq; lies also dangerously ill at Slane.

Thursday last died Mrs. Tickle, Wife to John Tickle, Esq; in Dawson-street.

HOME PORTS.

Plymouth, Sept. 22. Since my last arrived the Revolution, Oliver, from Antigua for London: At Antigua is arrived the Dorothy, Douglas, from London; and the Ann, Lindsey, from Dublin.

Deal, Sept 25. Wind E. The Allen, Allen, is sailed for Copenhagen. Remains the Mary, Perkins, for Hamburgh.

Gravesend, Sept. 25. Passed by the Duke de Humiere, Judson, from Boulogne; the Salvator, Christianson; and the Norway Boar, Thompson, from Norway; the Jemima, Clarabutt, (with 50 French Comedians) from Calais; the Success, Preston, from Virginia; and the Cleopatra, Thompson, from Zant.

LONDON.

Yesterday at Noon the Right Hon. Sir Robert Walpole came from his House at Chelsea to that in St. James's Park, where he found a great Number of Persons of Distinction attending to congratulate him on his happy Recovery, and after receiving their Compliments upon that Occasion, he presided as usual at the Board of Treasury.

We hear that among other Stipulations concerted in Consequence of the Convention lately signed, one is likely to prove very serviceable to the South Sea Company, in relation to their Assiento Contract, all the Differences subsisting with the Court of Spain, will at once be adjusted, and that beneficial Trade will be carried on without Interruption for the future; which is a pleasing Prospect to the Persons concerned in the Woollen Manufactury of Britain.

To-morrow the Two new Sheriffs are to be sworn into their Office at Guildhall, with the usual Formality.

And on the Day following comes on the Election of a new Lord Mayor for this City for the ensuing Year.

Last Week died at Maidstone in Kent, Mr. John Collison, a noted Attorney at Law.

Yesterday Morning died at his House at Hackney, Mr. Shaw, a noted and eminent Attorney at Law of this City.

Yesterday Mr. Scruton, one of his Majesty's Messengers, was dispatched from the Secretaries Office, Whitehall, with Affairs of Importance to Mr. Keen, his Majesty's Minister at the Court of Madrid.

The same Day a Spanish Courier was sent from Don Thomas Geraldino, with Dispatches to the said Court.

On Sunday Night last the House of Mr. Crouch, in South-street, Ponder's End, near Endfield, was broke open by a Gang of House-breakers, who took away several Things of Value; and also took a Horse out of a Field adjoining to the House.

Yesterday one Henry Swan was committed to the Gatehouse, Westminster, by Justice Manley, for picking a Gentlewoman's Pocket of Six Guineas.

The Right Hon. the Lord High Chancellor will hold the first General Seal, on Friday the 13th of October, at Lincoln's-Inn Hall, before Michaelmas Term.

The Money and Books are sent to Sheerness, to pay off the Company of his Majesty's Ship the Dunkirk, which is ordered to be laid up.

Yesterday Morning died at his House at Chelsea, Capt. Lee, Esq; Captain of a Company in the Regiment of Invalids, commanded by Major General Fielding.

The Right Hon. the Earl of Berkeley, Knight of the Thistle, is to have the Command of a Company in the Second Regiment of Foot Guards, in the room of Colonel Eaton, deceased.

High Water this Day at London Bridge.	Morning		Evening
	09	54	10 26

Bank Stock 145. India 171 1-half. South Sea 102 3-4ths. Old Annuity 112 7-8ths. New ditto 110 7-8ths. Three per Cent. 105 1-half, 5-8ths. 3 per Cent. Loan 109 3 4ths 7-8ths. 5 per Cent. ditto 99 5-8ths. Royal Assurance 108 5-8ths. London Assurance 14 7-8ths. African 14. India Bonds 6 l. 17 s. Prem. South Sea ditto 2 l. 12 s. Prem. New Bank Circulation 15 s. Prem. Salt Tallies 1-half to 2 1-half Prem. English Copper 3 l. 5 s. Welsh ditto 15 s. Three 1-half per Cent. Exchequer Orders 6 per Cent. Premium. Three per Cent. ditto 1 1-half to 5-8ths per Cent. Prem. Million Bank 122.

Pay-Office, September 21, 1738.

THESE are to give Notice, that the Widows of the Commission and Warrant Officers of the Royal Navy, will be paid their Pensions and Bounty due to the 31st of August 1738, at the Pay-Office in Broad street, viz. The Captains, Lieutenants, and Masters Widows, on Tuesday the 10th of October; the Boatswains and Gunners Widows, on Wednesday the 11th; and the Widows of the Carpenters, Pursers, Surgeons, and the rest, on Thursday the 12th, between the Hours of Ten and Two, and every Tuesday afterwards between the same Hours; and all the Widows who inhabit in London, or the Parts adjacent, are to take Notice, that the Pension or Bounty will not be paid, unless they come themselves in Person to receive it, or that their Attornies do bring a Certificate from the Minister or Church Wardens of the Parish they belong to, shewing the Cause of their Inability.

To be Lett or Sold,

At Darking *in* Surry, *and enter'd upon immediately,*

THE Red Lyon Inn, opposite to the Market-place. Enquire of Mr. Henry Parkhurst, at the Net and Cherry-Tree in Fleet-street; or of Mr. Robinson in Darking aforesaid.

General Post Office, London, Sept. 13, 1738.

WHEREAS the Post Boy carrying the Bristol Mail from London, was set upon and robbed by three Men on Horseback and one on Foot, about Three of the Clock this Morning, between Knightsbridge and Kensington, who carried off the Bristol, Bath, Hereford, Leominster *and* Presteign *Bags.*

The Postmaster General thinks proper to make it publickly known, that whoever shall apprehend the Persons who committed this Robbery, or any of them, will, upon Conviction, be intituled to a Reward of Two Hundred Pounds, besides the Reward by Act of Parliament for apprehending of Highwaymen; or if any Accomplice in the said Robbery, shall make a Discovery of the Person or Persons (any of them) who committed the Fact, such Accomplice will be intituled to the said Reward of Two hundred Pounds, and also have his Majesty's most gracious Pardon.

By Order of the Postmaster General.

John Jesse, C.

General Post Office, Aug. 27, 1738.

WHEREAS the Post Boy carrying the North Mail from London, was set upon and robbed by a single Person on foot, this Morning between the Hours of Two and Three, on this Side Kingsland, near London.

The Post Master General thinks proper to make it publickly known, that whoever shall apprehend the Person who committed this Robbery, will, upon Conviction, be intitled to a Reward of Two Hundred Pounds, besides the Reward by Act of Parliament for apprehending of Highwaymen; or if any Accomplice in the said Robbery shall make a Discovery of the Person who committed the Fact, such Accomplice will be intitled to the said Reward of Two hundred Pounds, and also have his Majesty's most gracious Pardon.

By Order of the Post Master General

John Jesse, C.

The Person who committed this Robbery, is described to be a middle-siz'd Man, had on a light colour'd cloth Coat, with close Sleeves, and a full Bob Wig, pretty high, and a Paper Mask over his Face; he carried away the Five following Bags, viz Hertford, Peterborough, Horncastle, Louth *and* Boston, *and likewise took the greatest Part of the Letters out of the* Enfield, Ware, St. Ives, *and* Royston *Bags.*

N. B. There were likewise two Men at a small Distance from him, supposed to be his Accomplices.

THE Assignees of the Estate and Effects of John Friend, late of Hogherk, in the Parish of Falmer, in the County of Sussex, Yeoman, in Trust for his Creditors, under an Indenture of Assignment dated the 26th Day of March last, intend to meet at the House of William Hicks, known by the Name of the Old Ship, in Ship-street in Brighthelmstone, in the County aforesaid, on Wednesday the Eleventh Day of October next, at Ten of the Clock in the Forenoon, to make a Dividend of the Monies arising by Sale of the said Effects amongst the Creditors executing the same Indenture.

For the immediate Cure of Barrenness *in* Women, *tho' of many Years Continuance, and proceeding from what Cause soever,*

And also of

Impotency *in* Men, *however occasion'd, or of so long Standing,*

The Famous and Inestimable

PROLIFICK ELIXIR,

The highest, richest and most powerful Cordial is hereby is recommended,

BEING the only true and infallible Cure for Barrenness in Women and Impotency in Men in the Universe, and which it at once accomplishes without the least Trouble, even after all other Remedies have fail'd. Thousands have experienced, and that by promoting the equal Curricle of the Blood and Juices, raising all the Powers from their languid, depressed State, to one more brisk and sparkling, opening all Obstructions, fortifying the Nerves, encreasing the Animal Spirits, restoring a Juvenile Ruddy and evidently replenishing the crispy Fibres of the whole Habit, with a generous Warmth and balmy Moisture, thereby invigorating it to such a Degree as not to be imagined but by those who have experienced how exceedingly and sensibly it renovates, recruits, and powerfully strengthens the Animal Faculties, and Generative Powers in both Sexes, inforces a bright, lively Disposition, banishes Melancholy, inspires Mirth and Gladness of Heart beyond Expression. A bundance of Ladies, who for several Years were deemed incurably Barren, have after twice taking it, conceived and become Fruitful; and great Numbers of Gentlemen, who by fast living, or otherwise, had render'd themselves incapable of Procreation, have soon been enabled by it to propagate their Species, insomuch, that very many illustrious Families, for want of Children, were almost inconsolable, are now blest with happy Issue, and are (under Providence) indebted to it as a Great Medicine for their Heirs. It rectifies all Disorders of the Stomach, creates an Appetite, procures a good Digestion, and in all Weakness of Body, or Decay of Constitution of any Kind, is a most infallible Restorative, and even keeps off the Effects of Old Age itself. It is to be taken but a few Drops at a Time, has a very fine Flavour, is pleasant to the Palate, Cordial to the Stomach, and can be had only at the Two Blue Posts in Haydon-Yard in the Minories, at 10 s. a Bottle, with Directions.

LONDON: Printed for T. Cooper, at the *Globe* in *Pater-noster-Row.*